

REMARKS

Status of the Claims

Claims 1-7 and 9 are currently pending in the application. Applicants respectfully note that the Office Action Summary of July 19, 2007 contains an error. That is, the Office Action Summary states that only claims 1-9 are pending when in fact, the present application was filed presenting ten (10) claims, claims 1-10. However, by way of entry of the present amendment, claim 10 has been cancelled herein.

Claims 1-9 stand rejected. The Examiner objects to the claims. Claims 1 and 9 have been amended as set forth herein. Claims 8 and 10 have been cancelled herein. All amendments and cancellations are made without prejudice or disclaimer. No new matter has been added by way of the present amendments. Specifically, the amendment to claim 1 is supported by claims 8 and 10, which limitations have been incorporated into claim 1. Claim 9 has been amended to depend from claim 1 instead of now cancelled claim 8. Reconsideration is respectfully requested.

Objections to the Claims

The Examiner objects to the claims. (*See*, Office Action of July 19, 2007, at page 2, hereinafter, "Office Action"). The Examiner alleges that the claims are in violation of Rule 75(c) because the claims are multiply dependent from other multiply dependent claims.

Applicants disagree. The Examiner's attention is respectfully directed to Applicants' Preliminary Amendment filed September 26, 2006, wherein claims 5, 6, 8 and 10 were amended

to remove multiple dependencies. Thus, all claims are required to be treated on their merits.

Applicants respectfully request reconsideration and withdrawal of the objection to the claims.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable as obvious over Ishii et al., EP 1459804 (hereinafter, "Ishii et al.") in light of Narihisa et al., JP 2003-128618 (hereinafter, "Narihisa et al."). (See, Office Action, at page 3). Claim 8 has been cancelled herein without prejudice or disclaimer, thus obviating the rejection as to claim 8. Applicants traverse the rejection as to the remaining claims as hereinafter set forth.

The Examiner states that Ishii et al. disclose or suggest production of organic compounds with catalysts comprising a cyclic acylurea structure with the formula (I). The Examiner further states that Narihisa et al. disclose or suggest a method of producing aromatic carboxylic acids by oxidizing an aromatic compound having an aromatic ring linked with an alkyl group or its lower oxidized group, with oxygen at 120 °C or more in the presence of a catalyst of the formula (I). However, the Examiner admits that neither reference discloses or suggests the plurality of reactors used in the generation of the aromatic carboxylic acid and the % concentration of oxygen gas used or the continuous reactant feed with product extraction or the level of the aromatic compound in the most downstream reactor.

Although Applicants do not agree the presently claimed invention is obvious in light of the combined disclosures of the cited references, to expedite prosecution, claim 1 has been amended, without prejudice or disclaimer, to recite the limitations of non-obvious claim 10. The Examiner has not rejected claim 10. Therefore, claim 10 is indicated as being in condition for

allowance. Thus, amendment of claim 1 to recite the limitations of claim 10 should place all claims currently pending in condition for allowance.

Since no specific reasoning is provided for the rejection of dependent claims 2-7 and 9, it is believed these dependent claims are also in condition for allowance as, *inter alia*, depending from an allowable base claim, amended claim 1.

There being no further rejections barring allowance of claims 1-7 and 9, immediate allowance thereof is earnestly requested.

Reconsideration and withdrawal of the obviousness rejection of claims 1-7 and 9 are respectfully requested.

CONCLUSION

If the Examiner has any questions or comments, please contact Thomas J. Siepmann, Ph.D., Registration No 57,374, at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

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Respectfully submitted,

By  #42,874

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